

## **CHAPTER 1**

### **GENERAL PROVISIONS**

#### **Article 1. Codification**

##### **Title 1. Designation**

###### Section 1-1101. Citations

The ordinances embraced in the following chapters shall constitute and be designated as the “City of Brunswick Code of Ordinances (2006)”, and may be so cited. This Code may also be cited as the “Brunswick City Code”.

###### Section 1-1102. Titles of Sections

The titles of the several sections of this Code are intended as mere catchwords to indicate the contents of the sections and shall not be taken to be a part of such sections.

###### Section 1-1103. Revisor’s Notes

Revisor’s Notes appearing at the end of some sections are advisory only and are not included within the designation of this Code.

##### **Title 2. Organization**

###### Section 1-1201. Numbering System

(A) Every number assigned to identify a section of this Code shall indicate the position of that section within the Code and, except as provided in Subsection (B) of this section, shall be consistent with the following system:

- (1) First digit indicates the Chapter.
- (2) Second digit indicates the Article within the Chapter.
- (3) Third digit indicates the Title within the Article.
- (4) Fourth and fifth digits indicate sequence of the Section within the Title.

For example, this Section 1-1201 is located in Chapter 1 at Article 1, Title 2 and is the first Section within the Title.

(B) Ordinances pertaining to development policies of the City of Brunswick, including but not limited to the Zoning Ordinance, Subdivision Regulations, Floodplain Ordinance, and Adequate Public Facilities Ordinance, which are

included in this Code by reference may employ a simplified numbering system as follows:

- \_\_\_\_\_ (1) Digit(s) before the decimal point indicate the Article within the Ordinance.
- (2) Digit(s) after the decimal point indicate the Section within the Article.

#### Section 1-1202. New Ordinances

All ordinances passed subsequent to this Code of Ordinances which amend, repeal or in any way affect this Code of Ordinances, shall be numbered in accordance with the numbering system of this Code, shall be maintained in the permanent Mayor and Council records, and shall from time to time be prepared for publication as supplementary pages for insertion into this Code.

All ordinances passed subsequent to this Code of Ordinances which do not amend, repeal or in any way affect this Code of Ordinances, or which do not have the effect of an enduring or continuously applicable law, shall be designated “Special Ordinances” and shall not be codified. An index and copy of each such Special Ordinance shall be maintained in the City offices for public inspection; a full index of such Special Ordinances shall be prepared for publication from time to time.

#### Section 1-1203. Adding New Subject Matter to this Code

When the Mayor and Council of Brunswick desires to enact an ordinance of a general and permanent nature on a subject not heretofore existing in the Code, a section in substantially the following language should be made a part of the ordinance: “Section \_\_\_\_\_. It is the intention of the Mayor and Council of Brunswick and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances, and the sections of this ordinance may be renumbered to accomplish such intention.” If necessary, new subject matter sections may be organized into one or more new Titles within an existing Article. In the event that such subject matter does not fit into the general subject matter of an existing Article, a new Article and if necessary, a new Chapter may be created.

#### Section 1-1204. Amending and Repealing Sections of this Code

All sections of this Code desired to be amended or repealed should be specifically amended or repealed by section number. Amendments to any of the provisions of this Code should be made by amending such provisions with specific reference to the section of this Code in substantially the following language: “That section \_\_\_\_\_ of the Code of Ordinances is hereby amended to read as follows: (set out new provisions in full) \_\_\_\_\_”.

#### Section 1-1205. Adoption

The City of Brunswick Code of Ordinances (2006) as compiled, codified, edited and published by The Institute for Governmental Service, University of Maryland, in consultation with the Mayor and Council of Brunswick, is adopted as the Code of Laws of general application and continuing force in the City of Brunswick from and after April 11, 2006.

## **Article 2. Legal Construction**

### **Title 1. General Rules of Construction**

#### Section 1-2101. Express Language

In the construction of this Code, the following rules shall be observed unless such construction would be inconsistent with the manifest intent of this Code:

(A) All words and phrases shall be construed and understood according to the common and approved usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

(B) The singular always includes the plural, and vice versa, except where such construction would be unreasonable.

(C) Unless otherwise provided in a particular section, all words in this Code importing one gender include and apply to the other gender as well.

(D) The term “may” is permissive; the term “shall” is mandatory.

(E) The term “person” shall include a Corporation, Company, Partnership, Association, or Society, as well as a natural person.

#### Section 1-2102. References to the Laws of Other Jurisdictions

Whenever a provision of this Code refers to any portion of a State or County law, the reference applies to any subsequent amendment to that law, unless the referring provision expressly provides otherwise.

#### Section 1-2103. Computation of Time

In computing any period of time prescribed or allowed by any applicable provision of this Code, the day of the act, event, or default, after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included unless: (1) it is a Saturday, Sunday or a legal holiday in which event the period runs until the end of the next day, which is neither a Saturday, Sunday nor a legal holiday. When the period of time allowed is more than seven (7) days, intermediate Saturdays, Sundays and legal holidays shall be considered as other days; but if the period of time allowed is seven (7) days or less, intermediate Saturdays, Sundays and legal holidays shall not be counted in computing the period of time.

#### Section 1-2104. Effect of Repeals

The repeal of an ordinance or Section of this Code shall not revive any Ordinance or Section of this Code in force before or at the time such repeal took effect. The repeal of such Ordinance or Code Section shall not affect any punishment or penalty encumbered before the repeal took effect, nor any suit, prosecution, or proceeding pending at the time of the repeal.

#### Section 1-2105. Continuous Provisions

Those provisions appearing in the Code, so far as they may be the same in substance as ordinances which existed at the effective date of this Code, shall be considered as continuations thereof and not as new enactments.

#### Section 1-2106. Severability

It is hereby declared to be the intention of the Mayor and Council of Brunswick that the sections, paragraphs, sentences, clauses, and words of this Code are severable and if any word, clause, sentence, paragraph, or section of this Code shall be declared unconstitutional or otherwise invalid by judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining words, clauses, sentences, paragraphs, and sections of this Code, since the same would have been enacted by the Mayor and Council of Brunswick without the incorporation into this Code of any such unconstitutional or invalid word, clause, sentence, paragraph or section.